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BAKER & BOTTS  
30 ROCKEFELLER PLAZA  
NEW YORK NY 10112

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**OFFICE OF PETITIONS**

In re Application of  
Sylvestre Jobic  
Application No. 09/155,843  
Filed: December 23, 1998  
Attorney Docket No. A32002-PCTUS

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DECISION ON PETITION

This is a decision on the petition to revive the above-identified application pursuant to 37 CFR 1.137(b), filed July 30, 2002.

The petition is **GRANTED**.

The above-identified application became abandoned as a result of petitioner's failure to timely file an Appeal Brief. A final Office action was mailed on February 22, 2001, which set a shortened statutory period for reply of three months. Petitioner obtained a three month extension of time and replied with a Notice of Appeal on August 20, 2001. Accordingly, petitioner had two months from the filing of the Notice of Appeal, or until October 20, 2001, to file an Appeal Brief (with fee) in triplicate. No Appeal Brief having been received, the above-identified application became abandoned on October 21, 2001. A Notice of Abandonment was mailed on June 5, 2002.

Petitioner has satisfied the requirements for a grantable petition under 37 CFR 1.137(b). Petitioner paid the petition fee, submitted a reply in the form of a Continued Prosecution Application (CPA), and made the proper statement of unintentional delay.

The application file is being forwarded to Technology Center 1600 for processing of the CPA.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0272.

Cliff Congo  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy